



FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

MINUTES

WORKSHOP MEETING

August 2, 2004

### CALL TO ORDER AND ROLL CALL

President Paul Fong declared a quorum was present and called the meeting to order at 1:00 p.m. in the San Felipe Room of the Taaffe House, 26580 Taaffe Road, Los Altos Hills, CA 94022.

#### **Trustees Present:**

Paul Fong, President  
Betsy Bechtel  
Sandy Hay, Acting Vice President  
Hal Plotkin

#### for Public Session

Melanie Dunn, De Anza College Student Trustee  
Rodolfo Vazquez, Foothill College Student Trustee

Trustees Absent: Andrea Leiderman

President Fong led the Board and those present in the Pledge of Allegiance. The following staff, press, students and members of the public were present:

<i>Staff:</i>	Walter Alvarado	Ken Horowitz	Greg Parman
	Mike Brandy	Martha Kanter	Bill Patterson
	Elaine Burns	Marsha Kelly	Willie Pritchard
	Debbie Comanda	Jim Ladd	Javier Rueda
	Jane Enright	Judy Miner	John Schulze
	Bernadine Chuck Fong	Jackie Minns-Smith	Marisa Spatafore
	Robert Griffin	Blanche Monary	Paul Starer
	Rich Hansen	Brian Murphy	
	Jeanine Hawk	Jon O'Bergh	

*Press:* None

*Students:* Kee Hoon Chung

*Public:* Bud Allen  
Leah Berlanga  
Sean Blaylock  
Terry Terman

**APPROVAL OF MINUTES**

**M/S/C:** Vazquez/Hay  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved minutes of the July 12, 2004 and July 19, 2004 meetings

**HEARINGS: ITEMS NOT ON THE AGENDA**

*Trustees*

Student Trustee Vazquez introduced ASFC President Kee Hoon Chung. Trustee Bechtel reported that she attended a dinner sponsored by the Asian Pacific American Leadership Institute, and that trustees Fong and Plotkin also attended.

*Staff*

Chancellor Kanter reported that the newly appointed President of San Jose State University resigned due to illness. She reported that the UC system was re-offering admission to redirected students. She also reported that the California Performance Review report was being released, which contains the Governor’s recommendations about reorganizing government and education.

*Students / Public*

There were no students or members of the public who wished to speak to items not on the agenda.

**APPROVAL OF CONSENT CALENDAR**

**M/S/C:** Bechtel/Dunn  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved / Ratified Items 1-3 of the Consent Calendar as follows:

**Item 1** — **Approved** TRUSTEE ANDREA LEIDERMAN’S REQUEST FOR A MEDICAL LEAVE, EFFECTIVE AUGUST 1, 2004 THROUGH DECEMBER 31, 2004

**Item 2** — **Approved** PERSONNEL ACTIONS:

*Name:* **Matthew Abrahams**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Language Arts  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column IV, Step D @ \$5,875.02 per month

*Name:* **Marc Coronado**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Language Arts  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column V, Step D @ \$6,112.35 per month

*Name:* **Adele Cruz**  
*Position:* Teacher/Site Supervisor  
*College:* De Anza  
*Division:* Child Development and Education  
*Action:* **Unpaid Leave**  
*Effective Date:* July 1, 2004 – June 24, 2005  
*Comments:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association

*Name:* **Lenore DeSilets**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Physical Science, Mathematics, and Engineering  
*Action:* **Partial Unpaid Leave of 33.34%**  
*Effective Date:* September 16, 2004 – June 24, 2005  
*Comments:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association.

*Name:* **Mia Hogle Kettman**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Language Arts  
*Action:* **Partial Unpaid Leave of 44.5%**  
*Effective Date:* September 16, 2004 – June 24, 2005  
*Compensation:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association.

*Name:* **Ruth Jones**  
*Position:* Teacher  
*College:* De Anza  
*Division:* Child Development and Education  
*Action:* **Reduced Workload to 75%**  
*Effective Date:* September 16, 2004 – June 24, 2005  
*Comments:* In accordance with Article 18 of the *Agreement* between the District and the Faculty Association

*Name:* **Alexander Kramer**  
*Position:* Instructor  
*College:* De Anza College  
*Division:* Language Arts  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column II, Step B @ \$4,929.27 per month

*Name:* **Matthew D. Kritscher**  
*Position:* Dean, Counseling and Matriculation  
*College:* De Anza  
*Division:* Student Services  
*Action:* **Resignation**  
*Effective Date:* August 2, 2004

*Name:* **John F. Lynch III**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Business/CIS  
*Action:* **Employment**  
*Effective Date:* September 22, 2005 – June 30, 2006 # of months: 10  
*Compensation:* Column III, Step B @ \$5,159.25 per month

*Name:* **Cara Miyasaki-Ching**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Biological and Health Sciences  
*Action:* **Unpaid Leave of 15%**  
*Effective Date:* September 16, 2004 – June 24, 2005  
*Comments:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association

*Name:* **Cinzia Muzzi**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Physical Science, Mathematics, and Engineering  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column V, Step F @ \$6,587.08 per month

*Name:* **Mary Ann Pavic**  
*Position:* Dean, Biological and Health Sciences  
*College:* Foothill  
*Division:* Instruction and Institutional Research  
*Action:* **Retirement**  
*Effective Date:* December 31, 2004  
*Comments:* In accordance with Chapter XIII, Administrators Retirement Incentive Program, of the Administrators Handbook

*Name:* **Elizabeth Rienecker-Stubblefield**  
*Position:* Instructor  
*College:* Foothill  
*Division:* Adaptive Learning and Disabled Services  
*Action:* **Partial Unpaid Leave of 40%**  
*Effective Date:* September 16, 2004 – June 24, 2005  
*Comments:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association

*Name:* **Lawrence “Scott” Osborne**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Business/CIS  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column V, Step F @ \$6,587.08 per month

*Name:* **Kristin Samarov**  
*Position:* Counselor  
*College:* Foothill  
*Division:* Biological and Health Sciences  
*Action:* **Unpaid Leave of 50%**  
*Effective Date:* August 1, 2004 – December 10, 2004  
*Comments:* In accordance with Article 16 of the *Agreement* between the District and the Faculty Association

*Name:* **Kimberly Sandstrom-Phillips**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Physical Science, Mathematics and Engineering  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column III, Step B @ \$5,159.25 per month

*Name:* **Ameeta Tiwana**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Social Sciences and Humanities  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column V, Step I @ \$7,293.62 per month

*Name:* **Wendy White**  
*Position:* Instructor  
*College:* De Anza  
*Division:* Social Sciences and Humanities  
*Action:* **Employment**  
*Effective Date:* September 16, 2004 – June 24, 2005 # of months: 10  
*Compensation:* Column V, Step C @ \$5, 875.02 per month

**Item 3** — **Approved HUMAN RESOURCES REPORT**

## **Item 4**

### CONFLICT OF INTEREST POLICY 9200; LIST OF DESIGNATED EMPLOYEES

<b>M/S/C:</b>	Bechtel/Plotkin
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved revisions to Board Policy 9200, “Conflict of Interest,” including list of designated employees

## **Item 5**

### LAYOFF DUE TO LACK OF FUNDS AND LACK OF WORK

Responding to questions from Trustee Bechtel and Student Trustee Dunn, Bookstore Director Jim Ladd said there were approximately ten employees in the De Anza bookstore, and the bookstore hours of operation would not be reduced as a result of the layoff. Bookstore Cashier Debbie Comanda, Courseware Coordinator Jackie Minns-Smith, SEIU Chapter Chair Javier Rueda and SEIU field representative Leah Berlanga each spoke in opposition to the layoff and urged the District to quickly place the affected employees into other positions. Vice Chancellor of Human Resources and Equal Opportunity Jane Enright explained how the District would work with the employees to seek appropriate positions for them, and noted that temporary employees in the bookstore are strictly seasonal employees, working only for a few weeks during high demand periods.

Trustee Hay expressed his preference to see the District explore placements into other positions prior to bringing layoff actions to the Board. Vice Chancellor Enright explained how the existing process best serves the interests of all parties. Faculty Association President Rich Hansen expressed hope that the Board would support full-time employees and seek creative solutions that do not compromise the quality of services on the campuses. Trustee Hay also expressed concern about reducing the quality of services and offered his opinion that the ability to be self-supporting should not necessarily be the prime consideration in evaluating the viability of the enterprise operations. Trustee Bechtel said that the District needs to adapt to changing circumstances and ensure that funds are not drained from teaching and learning to support other activities. Board members expressed their concern for how all employees are treated and expressed how difficult and painful the decision is whenever a layoff is proposed.

<b>M/S/C:</b>	Bechtel/Hay
<b>Advisory vote:</b>	Vazquez voted yes; Dunn voted no
<b>Board vote:</b>	unanimous
<b>Action:</b>	1) Authorized District representatives to provide at least a 45-day notice of layoff to the following employees: Deborah Comanda, Cashier Jacquelyne Minns-Smith, Bookstore Courseware Coordinator 2) Authorized District representatives to provide at least a 45-day notice of layoff to the following employee who may be subject to layoff due to bumping rights: Hien My Nguyen, Cashier, Foothill Admissions & Records

## **Item 6**

### LAYOFF DUE TO LACK OF FUNDS AND LACK OF WORK

Vice Chancellor of Human Resources and Equal Opportunity withdrew Item 6, explaining that the District was continuing to work with the affected employee to seek resolution.

At 1:50 p.m., President Fong announced a short break, then re-convened the meeting at 1:55 p.m.

## **Item 7**

### BOARD WORKSHOP: ADVANCING THE LEGACY OF THE FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

#### **A. Overview and Expected Outcomes**

Chancellor Martha Kanter presented an overview of challenges and goals, noting that a deeper budget briefing would be held on August 16.

#### **B. Facilities Master Plan for 2005-2015**

Executive Director of Facilities, Operations and Construction Management John Schulze discussed facilities planning. He explained that a 2% annual growth rate is a sensible average for planning purposes, and discussed two options for growth, one of which included an offsite location. After explaining how each option impacts additional facilities needs on the campuses, he recommended the second option which shifts a significant amount of growth offsite. However, he cautioned that a lot more study is needed before a decision can be made. The next step is to begin the facilities master planning process in December 2004.

Trustee Bechtel asked what additional steps would be taken before a recommendation is made, and Mr. Schulze responded that a thorough needs analysis is required by the state and would provide additional information. Trustees Bechtel and Plotkin asked whether a survey of community interests concerning the location of an offsite educational facility would be conducted, and Mr. Schulze responded that a bond measure to finance a third campus center requires that the community approve of the location. Trustee Plotkin emphasized the need to assess community reaction to the relative attractiveness of different sites.

Foothill Vice President of Instruction and Institutional Research Bill Patterson discussed the planning process for determining the educational program for an offsite location. Bud Allen of Community College Services discussed the types of offsite locations: comprehensive college, approved educational center, or outreach center. He explained the service, financial, and practical considerations, and the process for approval. He pointed out that the estimated cost for developing an approved center — apart from any property and construction costs — is around \$525,000, and it takes between six and ten years to become an approved center. He cautioned that the state does not have funds to assist in such efforts due to an \$18 billion backlog in addressing capital outlay needs statewide.

At 4:00 p.m., President Fong announced a short break, then re-convened the meeting at 4:15 p.m.

**C. Fiscal Opportunities and Challenges**

Vice Chancellor of Business Services Mike Brandy provided a summary of the operating budget for 2004-05. He also discussed the long-term growth model, equipment funding, the unfunded retiree medical benefits liability, and Proposition 39 bond possibilities. He explained that there is a financial benefit to growth based on economies of scale.

**D. Staffing and Compensation Report**

Vice Chancellor of Human Resources and Equal Opportunity Jane Enright distributed and summarized highlights from the Staffing and Compensation Report.

**E. Summary and Next Steps**

Chancellor Martha Kanter summarized the discussion. Trustee Plotkin inquired about sending a letter of intent to the state, which will help determine what plans local community colleges may have to develop educational centers or new campuses. Chancellor Kanter responded that this will be discussed further at the August 16 Board meeting.

At 5:30 p.m., the following individuals joined the meeting:

*Staff:* Claudette Brero-Gow  
Carmen Redmond

*Public:* Jim Klingensmith

**Item 8**

**MEASURE E CONSENT CALENDAR**

**M/S/C:** Plotkin/Dunn  
**Advisory vote:** 2 yes  
**Board vote:** unanimous  
**Action:** Approved / Ratified the Measure E Consent Calendar, A-J as follows:

- A. Title:** Change Order #18
- Vendor:** West Coast Contractors
- Agreement Date:** October 22, 2002
- Campus:** De Anza College
- Project No.:** 202
- Project Name:** Science Center
- Amount:** \$47,631
- For:** Changes including a credit for testing and inspection and additional costs for plumbing, window limiters, sitework and casework
- Action:** Ratification

- B.** *Title:* Independent Contract Agreement  
*Vendor:* Y&D Cabinet Shop  
*Agreement Date:* August 2, 2004  
*Campus:* De Anza College  
*Project No.:* 202  
*Project Name:* Science Center  
*Amount:* \$6,200  
*For:* Added seismic lips to the chemical storage shelves in the Science Center chemical storage rooms  
*Action:* Ratification
- C.** *Title:* Change Order #6  
*Vendor:* Hensel Phelps  
*Agreement Date:* November 25, 2003  
*Campus:* De Anza College  
*Project No.:* 203  
*Project Name:* Student and Community Services  
*Amount:* \$16,487  
*For:* Grade beam extension to meet edge of slab  
*Action:* Ratification
- D.** *Title:* Change Order #4  
*Vendor:* S.J. Amoroso  
*Agreement Date:* December 1, 2003  
*Campus:* De Anza College  
*Project No.:* 207  
*Project Name:* Lot C Parking Structure  
*Amount:* \$30,314  
*For:* Changes in electrical work, landscape, roof tile, data cabling, ceramic tile and addition of tamper switches. DSA sprinkling systems changes  
*Action:* Ratification
- E.** *Title:* Addendum #D-15  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* January 15, 2001  
*Campus:* De Anza College  
*Project No.:* 220  
*Project Name:* PE Quad  
*Amount:* \$1,500  
*For:* Geotechnical testing and inspection  
*Action:* Ratification

- F.** *Title:* Addendum #D-11  
*Vendor:* Signet Testing Labs, Inc.  
*Agreement Date:* December 3, 2001  
*Campus:* De Anza College  
*Project No.:* 220  
*Project Name:* P.E. Quad  
*Amount:* \$8,661  
*For:* Special testing and inspection services  
*Action:* Ratification
- G.** *Title:* Addendum #D-14  
  
*Vendor:* Cleary Consultants, Inc.  
*Agreement Date:* January 15, 2001  
*Campus:* De Anza College  
*Project No.:* 233  
*Project Name:* T-9/Warehouse Addition  
*Amount:* \$3,800  
*For:* Geotechnical investigation  
*Action:* Ratification
- H.** *Title:* Change Order #3  
*Vendor:* S.J. Amoroso  
*Agreement Date:* January 16, 2004  
*Campus:* De Anza College  
*Project No.:* 248  
*Project Name:* Kirsch Center for Environmental Studies  
*Amount:* \$4,878  
*For:* Structural steel revisions at the elevator pit, roof, and edge of metal deck; correct utility conflicts between the new storm drain line and the existing storm drain line servicing the Environmental Studies area  
*Action:* Ratification
- I.** *Title:* Change Order No. 3  
*Vendor:* California Plus Engineering, Inc.  
*Agreement Date:* January 6, 2004  
*Campus:* De Anza College  
*Project No.:* 267  
*Project Name:* A-Quad Phase II  
*Amount:* \$1,857  
*For:* Drywall repair in Bldg. A3 Mechanical Room, repair damaged light fixture wiring, seal concrete wall to receive acoustical wall tile, and replace missing wood trim at soffit in Bldg. A3  
*Action:* Ratification

- J. Title:** Addendum #D-10
- Vendor:** Signet Testing Labs, Inc.
- Agreement Date:** December 3, 2001
- Campus:** De Anza College
- Project No.:** 241
- Project Name:** Utility Vault Replacement
- Amount:** \$7,819
- For:** Special inspection services
- Action:** Ratification

### **Item 9**

#### PROFESSIONAL SERVICES AGREEMENT WITH tBP/ARCHITECTURE FOR PREPARATION OF A DISTRICT FACILITIES MASTER PLAN FOR DE ANZA COLLEGE AND FOOTHILL COLLEGE

Executive Director of Facilities, Operations and Construction Management John Schulze clarified that tBP/Architecture has performed well for the District and it would be less expensive to continue to use their services than to find a new firm.

- M/S/C:** Bechtel/Hay
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Approved agreement in the amount of \$93,000 with tBP/Architecture for the preparation of a District Facilities Master Plan

### **Item 10**

#### CONFIRMATION OF 2006-2010 FIVE-YEAR CONSTRUCTION PLAN (2006-07 FIRST FUNDING YEAR)

Trustee Bechtel pointed out a correction regarding a legislative district designation.

- M/S/C:** Bechtel/Plotkin
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** Confirmed the report titled *2006-2010 Five-Year Construction Plan (2006-2007 First Funding Year)*

### **Item 11**

#### LIST OF GENERAL CONTRACTORS PRE-QUALIFIED TO BID ON CAMPUS CENTER BUILDINGS 2000 AND 2200 PROJECT, FOOTHILL COLLEGE

Responding to a question from Trustee Plotkin concerning Roebbelen Contracting's inability to pre-qualify, Director of Purchasing and Material Services Carmen Redmond explained that it was a material problem and the company was given a second chance to address the problem.

- M/S/C:** Plotkin/Hay
- Advisory vote:** 2 yes
- Board vote:** unanimous
- Action:** 1) Accepted the following list of General Contractors who met all of the pre-qualification requirements as "pre-qualified" to bid as Prime Contractors on the Campus Center Buildings 2000 and 2200 project:

Amoroso Construction	PRE-QUALIFIED
Clark Construction	PRE-QUALIFIED
Hathaway Dinwiddie Construction Co.	PRE-QUALIFIED
Hensel Phelps Construction Co.	PRE-QUALIFIED
Lathrop Construction	PRE-QUALIFIED
McCarthy Building Companies	PRE-QUALIFIED
Swinerton Builders	PRE-QUALIFIED
Thompson Pacific Construction Co.	PRE-QUALIFIED
Turner Construction	PRE-QUALIFIED
West Bay Builders	PRE-QUALIFIED
West Coast Contractors	PRE-QUALIFIED

2) Determined that Turnkey, Inc. and Roebbelen Contracting, Inc. are not pre-qualified as Prime Contractors for this project

### **Item 12**

#### LIST OF GENERAL ENGINEERING CONTRACTORS PRE-QUALIFIED TO BID ON FOOTHILL COLLEGE STADIUM RENOVATIONS PROJECT AND DE ANZA ATHLETIC FIELDS PROJECT

President Fong asked about the possibility of adding contractors to the list at a later point. Director of Purchasing and Material Services Carmen Redmond explained that the District would need to go through the entire pre-qualification process all over again.

**M/S/C:** Plotkin/Vazquez

**Advisory vote:** 2 yes

**Board vote:** unanimous

**Action:** 1) Accepted the following list of General Engineering Contractors who met all of the pre-qualification requirements as the only contractors who are “pre-qualified” to bid as Prime Contractors on the Foothill College Stadium Renovations project and the De Anza Athletic Fields project:

Interstate Grading & Paving, Inc.	PRE-QUALIFIED
O. C. Jones & Sons, Inc.	PRE-QUALIFIED
Robert A. Bothman, Inc.	PRE-QUALIFIED
Valley Crest Landscape Development	PRE-QUALIFIED

### **Item 13**

#### PROFESSIONAL SERVICES AGREEMENT WITH ENERGY RESOURCE ASSOCIATES, INC. — ENGINEERING AND DESIGN SERVICES REQUIRED FOR BOILER ROOM REHABILITATION PROJECT, FOOTHILL P.E. BUILDING

**M/S/C:** Bechtel/Dunn

**Advisory vote:** 2 yes

**Board vote:** unanimous

**Action:** Approved a professional services agreement in the amount of \$29,936 with Energy Resource Associates, Inc. for the engineering and design services required for the Boiler Room Rehabilitation Project, Foothill P.E. Building

## **Item 14**

### **ADDENDUM #6 FOR RENEWAL OF PROGRAM MANAGEMENT SERVICES AGREEMENT WITH GILBANE BUILDING COMPANY**

Construction Program Manager Claudette Brero-Gow acknowledged the work of Gilbane representative Jim Klingensmith and presented Item 14. Trustee Bechtel asked how the contract amount was derived. It was explained that the amount was based on the rate in the original contract with cost-of-living adjustments, and an in-depth analysis of personnel needs for construction management. Trustee Bechtel requested that the Board be supplied with further information on the analysis.

<b>M/S/C:</b>	Hay/Dunn
<b>Advisory vote:</b>	2 yes
<b>Board vote:</b>	unanimous
<b>Action:</b>	Approved Addendum #6, renewal of the contract titled <i>Agreement for Program Management Services</i> between the District and Gilbane Building Company for the 12-month period ending June 30, 2005

### **DATES TO REMEMBER**

August 16, 2004 — Special Meeting  
August 30, 2004 — Regular Meeting  
September 13, 2004 — Regular Meeting

### **ADJOURNMENT**

President Fong adjourned the meeting at 6:20 p.m.

jco

Approved: 8/30/04

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Martha J. Kanter, Chancellor  
Secretary, Board of Trustees